

By Murphy

5.J.R. No. 45

1 A JOINT RESOLUTION

2 proposing a constitutional amendment relating to exemptions or other
3 relief from ad valorem taxes on property upon which approved water
4 conservation initiatives have been implemented.

5 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 1, Article VIII, Texas Constitution, is
7 amended by adding a new Section 1-m to read as follows:

8 Sec. 1-m. WATER CONSERVATION INITIATIVES. The legislature by
9 general law may authorize counties, cities, towns, and other taxing
10 units to grant exemptions or other relief from ad valorem taxes on
11 property so designated by the taxing unit as property upon which
12 approved water conservation initiatives have been implemented.

13 SECTION 2. This proposed constitutional amendment shall be
14 submitted to the voters at an election to be held November 4, 1997.
15 The ballot shall be printed to permit voting for or against the
16 proposition: "The constitutional amendment relating to an exemption
17 of all or part of the assessed value of property upon which approved
18 water conservation initiatives have been implemented."

19 SECTION 3. The importance of this legislation and the crowded
20 condition of the calendars in both houses create an emergency and an
21 imperative public necessity that the constitutional rule requiring
22 bills to be read on three several days in each house be suspended,
23 and this rule is hereby suspended.

1994

1-1 By: Brown S.J.R. No. 45
1-2 (In the Senate - Filed March 14, 1997; March 24, 1997, read
1-3 first time and referred to Committee on Finance; April 16, 1997,
1-4 rereferred to Committee on Natural Resources; May 1, 1997, reported
1-5 adversely, with favorable Committee Substitute by the following
1-6 vote: Yeas 8, Nays 0; May 1, 1997, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.J.R. No. 45 By: Brown

1-8 SENATE JOINT RESOLUTION

1-9 proposing a constitutional amendment to authorize the legislature
1-10 to permit a taxing unit to grant an exemption or other relief from
1-11 ad valorem taxes on property on which a water conservation
1-12 initiative has been implemented.

1-13 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Article VIII, Texas Constitution, is amended by
1-15 adding Section 1-m to read as follows:

1-16 Sec. 1-m. The legislature by general law may authorize a
1-17 taxing unit to grant an exemption or other relief from ad valorem
1-18 taxes on property on which a water conservation initiative has been
1-19 implemented.

1-20 SECTION 2. This proposed constitutional amendment shall be
1-21 submitted to the voters at an election to be held November 4, 1997.
1-22 The ballot shall be printed to permit voting for or against the
1-23 proposition: "The constitutional amendment to authorize the
1-24 legislature to permit a taxing unit to grant an exemption or other
1-25 relief from ad valorem taxes on property on which a water
1-26 conservation initiative has been implemented."

1-27 * * * * *

FAVORABLY AS SUBSTITUTED
SENATE COMMITTEE REPORT ON

SB SCR (SJR) SR HB HCR HJR 45
By Brown
(Author/Senate Sponsor)
5-1-97
(date)

We, your Committee on NATURAL RESOURCES, to which was referred the attached measure,
have on 4/29/97, had the same under consideration and I am instructed to report it
(date of hearing)
back with the recommendation (s) that it:

- ☒ do pass as substituted, and be printed
☐ the caption remained the same as original measure
☒ the caption changed with adoption of the substitute

☐ do pass as substituted, and be ordered not printed

☐ and is recommended for placement on the Local and Uncontested Bills Calendar.

A fiscal note was requested. ☒ yes ☐ no

A revised fiscal note was requested. ☒ yes ☐ no

An actuarial analysis was requested. ☐ yes ☒ no

Considered by subcommittee. ☐ yes ☒ no

The measure was reported from Committee by the following vote:

	YEA	NAY	ABSENT	PNV
Senator Brown, Chairman	<input checked="" type="checkbox"/>			
Senator Barrientos, Vice-Chairman	<input checked="" type="checkbox"/>			
Senator Bivins			<input checked="" type="checkbox"/>	
Senator Fraser	<input checked="" type="checkbox"/>			
Senator Haywood	<input checked="" type="checkbox"/>			
Senator Lindsay	<input checked="" type="checkbox"/>			
Senator Lucio	<input checked="" type="checkbox"/>			
Senator Nixon			<input checked="" type="checkbox"/>	
Senator Ogden	<input checked="" type="checkbox"/>			
Senator Truan	<input checked="" type="checkbox"/>			
Senator Wentworth			<input checked="" type="checkbox"/>	
TOTAL VOTES	8		3	

COMMITTEE ACTION

S260 Considered in public hearing

S270 Testimony taken

Carol M'Garr
COMMITTEE CLERK

[Signature]
CHAIRMAN

Paper clip the original and one copy of this signed form to the original bill along with TWO copies of the Committee Substitute
Retain one copy of this form for Committee files

BILL ANALYSIS

Senate Research Center

C.S.S.J.R. 45

By: Brown

Finance

4-30-97

Committee Report (Substituted)

DIGEST

Currently, there are no tangible incentives to conserve water. Providing locally approved tax credits on local property taxes in exchange for implementing locally approved water conservation initiatives will help in creating necessary incentives. C.S.S.J.R. 45 requires the submission to the voters of a constitutional amendment regarding exemptions or other relief from ad valorem taxes on property upon which water conservation initiatives have been implemented.

PURPOSE

As proposed, C.S.S.J.R. 45 requires the submission to the voters of a constitutional amendment regarding exemptions or other relief from ad valorem taxes on property upon which water conservation initiatives have been implemented.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Article VIII, Texas Constitution, by adding Section 1-m, as follows:

Sec. 1-m. Authorizes the legislature, by general law, to authorize taxing units to grant an exemption or other relief from ad valorem taxes on property on which a water conservation initiative has been implemented.

SECTION 2. Requires this proposed constitutional amendment to be submitted to the voters at an election to be held November 4, 1997. Sets forth the required language for the ballot.

SUMMARY OF COMMITTEE CHANGES

SECTION 1.

Amends Section 1, Article VIII, Texas Constitution, by adding Section 1-m, to authorize the legislature to authorize taxing units to grant exemptions or other relief from ad valorem taxes on property on which a water conservation initiatives has been implemented.

SECTION 3.

Deletes SECTION 3, the emergency clause.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE
75th Regular Session

April 30, 1997

To: Honorable J.E. "Buster" Brown, Chair
Committee on Natural Resources
Senate
Austin, Texas

IN RE: Senate Joint Resolution
No. 45, Committee
Report 1st House, Substituted
By: Brown

From: John Keel, Director

In response to your request for a Fiscal Note on SJR45 (Proposing a constitutional amendment to authorize the legislature to permit a taxing unit to grant an exemption or other relief from ad valorem taxes on property on which a water conservation initiative has been implemented.) this office has determined the following:

**Biennial Net Impact to General Revenue Funds by SJR45-Committee Report 1st House,
Substituted**

No fiscal implication to the State is anticipated, other than the cost of publication.

The cost to the state for publication of the resolution is \$71,000.

Source: Agencies: 580 Water Development Board
LBB Staff: JK, BB, BR

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE
75th Regular Session

April 17, 1997

To: Honorable J.E. "Buster" Brown, Chair
Committee on Natural Resources
Senate
Austin, Texas

IN RE: Senate Joint Resolution
No. 45
By: Brown

From: John Keel, Director

In response to your request for a Fiscal Note on SJR45 (Proposing a constitutional amendment relating to exemptions or other relief from ad valorem taxes on property upon which approved water conservation initiatives have been implemented.) this office has determined the following:

Biennial Net Impact to General Revenue Funds by SJR45-As Introduced

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Source: Agencies: 580 Water Development Board

LBB Staff: JK, BB, BR

WITNESS LIST

SJR 45
SENATE COMMITTEE REPORT
Natural Resources Committee

April 29, 1997 - 2:00P

On: Soward, Larry R. (TDA), Austin

2/1
SGee

By: [Signature] S.J.R. No. 45
Substitute the following for S.J.R. No. 45:
By: [Signature] C.S. S.J.R. No. 45

SENATE

A JOINT RESOLUTION

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2 to permit a taxing unit to grant an exemption or other relief from
3 ad valorem taxes on property on which a water conservation
4 initiative has been implemented.

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7 adding Section 1-m to read as follows:

8 Sec. 1-m. The legislature by general law may authorize a
9 taxing unit to grant an exemption or other relief from ad valorem
10 taxes on property on which a water conservation initiative has been
11 implemented.

12 SECTION 2. This proposed constitutional amendment shall be
13 submitted to the voters at an election to be held November 4, 1997.
14 The ballot shall be printed to permit voting for or against the
15 proposition: "The constitutional amendment to authorize the
16 legislature to permit a taxing unit to grant an exemption or other
17 relief from ad valorem taxes on property on which a water
18 conservation initiative has been implemented."

5-1-97
5-5-97
5-24-97

May 5 19 97 Engrossed
Ratney Brown
Engrossing Clerk

State of Texas
Legislative Council
Austin, Texas

May 5, 1997

By: Brown

S.J.R. No. 45

(Lewis of Orange)

SENATE JOINT RESOLUTION

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**LEGISLATIVE BUDGET BOARD
Austin, Texas**

**FISCAL NOTE
75th Regular Session**

April 30, 1997

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LBB Staff: JK, BB, BR

LEGISLATIVE BUDGET BOARD
Austin, Texas

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75th Regular Session

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Committee on Natural Resources
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By: Brown

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Source: Agencies: 580 Water Development Board

LBB Staff: JK, BB, BR

HOUSE COMMITTEE REPORT

97 MAY 16 11:12 AM
HOUSE OF REPRESENTATIVES

1st Printing

By: Brown

S.J.R. No. 45

(Lewis of Orange)

SENATE JOINT RESOLUTION

1 proposing a constitutional amendment to authorize the legislature
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15 proposition: "The constitutional amendment to authorize the
16 legislature to permit a taxing unit to grant an exemption or other
17 relief from ad valorem taxes on property on which a water
18 conservation initiative has been implemented."

COMMITTEE REPORT

5/15/97
(date)

The Honorable James E. "Pete" Laney
Speaker of the House of Representatives

Sir:

We, your COMMITTEE ON WAYS AND MEANS

to whom was referred SJR 45 have had the same under consideration and beg to report back with the recommendation that it

- ☒ do pass, without amendment.
- ☐ do pass, with amendment(s).
- ☐ do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.
- ☒ yes ☐ no A fiscal note was requested.
- ☐ yes ☒ no A criminal justice policy impact statement was requested.
- ☐ yes ☒ no An equalized educational funding impact statement was requested.
- ☐ yes ☒ no An actuarial analysis was requested.
- ☐ yes ☒ no A water development policy impact statement was requested.
- ☒ yes ☐ no A tax equity note was requested.
- ☐ The Committee recommends that this measure be sent to the Committee on Local and Consent Calendars.

For Senate Measures: House Sponsor Lewis, Ron

Joint Sponsors: / / /

Co-Sponsors:

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Craddick, Chair	X			
Ramsay, Vice-chair	X			
Grusendorf				X
Heflin	X			
Holzheuser	X			
Horn	X			
Oliveira	X			
Stiles	X			
Telford	X			
Thompson	X			
Williamson	X			

Total
10 aye
0 nay
0 present, not voting
1 absent

Jim Craddick
CHAIR

BILL ANALYSIS

WAYS & MEANS

S.J.R. 45

By: Brown (Lewis, Ron)

5-15-97

Committee Report (Unamended)

BACKGROUND

Article VIII (Taxation and Revenue), Texas Constitution, provides that all property shall be taxed according to its value. However, the constitution does provide for certain exceptions to this rule, usually to accomplish a public policy goal (i.e., residence homestead, agricultural land, pollution control devices, etc.) Currently there are no such exemptions for water conservation initiatives, which could provide incentives to promote water conservation.

PURPOSE

The bill would provide local taxing entities with the authority to use local property tax exemptions or other relief as an incentive to conserve water.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency or institution.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 1, Article VIII, Texas Constitution, by adding Section 1-m. which grants local taxing entities the authority to grant exemptions or other relief from ad valorem taxes on property so designated by the taxing unit as property upon which approved water conservation initiatives have been implemented.

SECTION 2. Ballot date: November 4, 1997. Specifies appropriate ballot language.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE
75th Regular Session

May 10, 1997

To: Honorable Tom Craddick, Chair
Committee on Ways & Means
House
Austin, Texas

IN RE: Senate Joint Resolution
No. 45, As Engrossed
By: Brown

From: John Keel, Director

In response to your request for a Fiscal Note on SJR45 (Proposing a constitutional amendment to authorize the legislature to permit a taxing unit to grant an exemption or other relief from ad valorem taxes on property on which a water conservation initiative has been implemented.) this office has determined the following:

Biennial Net Impact to General Revenue Funds by SJR45-As Engrossed

No fiscal implication to the State is anticipated, other than the cost of publication.

The cost to the state for publication of the resolution is \$71,000.

Source: Agencies: 580 Water Development Board

LBB Staff: JK, RR, BB, BR

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE
75th Regular Session

April 30, 1997

To: Honorable J.E. "Buster" Brown, Chair
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Senate
Austin, Texas

IN RE: Senate Joint Resolution
No. 45, Committee
Report 1st House, Substituted
By: Brown

From: John Keel, Director

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LBB Staff: JK, BB, BR

LEGISLATIVE BUDGET BOARD
Austin, Texas

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75th Regular Session

April 17, 1997

To: Honorable J.E. "Buster" Brown, Chair
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Senate
Austin, Texas

IN RE: Senate Joint Resolution
No. 45
By: Brown

From: John Keel, Director

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Source: Agencies: 580 Water Development Board

LBB Staff: JK, BB, BR

LEGISLATIVE BUDGET BOARD

Tax/Fee Equity Note

May 7, 1997

TO: Honorable Tom Craddick, Chair
Committee on Ways & Means
House
Austin, Texas

IN RE: Senate Joint Resolution
No. 45, As Engrossed
By: Brown

FROM: **John Keel**, Director

In response to your request for a Tax/Fee Equity Note on SJR45 (Proposing a constitutional amendment to authorize the legislature to permit a taxing unit to grant an exemption or other relief from ad valorem taxes on property on which a water conservation initiative has been implemented.) this office has determined the following:

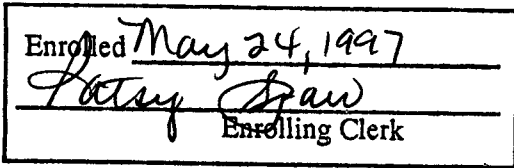
This measure does not create or impact a state tax or fee.

SUMMARY OF COMMITTEE ACTION

SJR 45

May 12, 1997 4:00PM
Considered in public hearing
Left pending in committee

May 15, 1997 12:56PM
Considered in formal meeting
Reported favorably without amendment(s)



S.J.R. No. 45

SENATE JOINT RESOLUTION

1 proposing a constitutional amendment to authorize the legislature
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3 ad valorem taxes on property on which a water conservation
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8 Sec. 1-m. The legislature by general law may authorize a
9 taxing unit to grant an exemption or other relief from ad valorem
10 taxes on property on which a water conservation initiative has been
11 implemented.

12 SECTION 2. This proposed constitutional amendment shall be
13 submitted to the voters at an election to be held November 4, 1997.
14 The ballot shall be printed to permit voting for or against the
15 proposition: "The constitutional amendment to authorize the
16 legislature to permit a taxing unit to grant an exemption or other
17 relief from ad valorem taxes on property on which a water
18 conservation initiative has been implemented."

S.J.R. No. 45

President of the Senate

Speaker of the House

I hereby certify that S.J.R. No. 45 was adopted by the Senate on May 5, 1997, by the following vote: Yeas 30, Nays 0.

Secretary of the Senate

I hereby certify that S.J.R. No. 45 was adopted by the House on May 23, 1997, by the following vote: Yeas 120, Nays 0, two present not voting.

Chief Clerk of the House

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE
75th Regular Session

May 10, 1997

To: Honorable Tom Craddick, Chair
Committee on Ways & Means
House
Austin, Texas

IN RE: Senate Joint Resolution
No. 45, As Engrossed
By: Brown

From: John Keel, Director

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No fiscal implication to the State is anticipated, other than the cost of publication.

The cost to the state for publication of the resolution is \$71,000.

Source: Agencies: 580 Water Development Board

LBB Staff: JK, RR, BB, BR

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE
75th Regular Session

April 30, 1997

To: Honorable J.E. "Buster" Brown, Chair
Committee on Natural Resources
Senate
Austin, Texas

IN RE: Senate Joint Resolution
No. 45, Committee
Report 1st House, Substituted
By: Brown

From: John Keel, Director

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Source: Agencies: 580 Water Development Board

LBB Staff: JK, BB, BR

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE
75th Regular Session

April 17, 1997

To: Honorable J.E. "Buster" Brown, Chair
Committee on Natural Resources
Senate
Austin, Texas

IN RE: Senate Joint Resolution
No. 45
By: Brown

From: John Keel, Director

In response to your request for a Fiscal Note on SJR45 (Proposing a constitutional amendment relating to exemptions or other relief from ad valorem taxes on property upon which approved water conservation initiatives have been implemented.) this office has determined the following:

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The cost to the state for publication of the resolution is \$71,000.

Source: Agencies: 580 Water Development Board

LBB Staff: JK, BB, BR

President of the Senate

Speaker of the House

I hereby certify that S.J.R. No. 45 was adopted by the Senate on May 5, 1997, by the following vote: Yeas 30, Nays 0.

Secretary of the Senate

I hereby certify that S.J.R. No. 45 was adopted by the House on May 23, 1997, by the following vote: Yeas 150, Nays 0, two present not voting.

Chief Clerk of the House

LEGISLATIVE BUDGET BOARD

Tax/Fee Equity Note

May 7, 1997

TO: Honorable Tom Craddick, Chair
Committee on Ways & Means
House
Austin, Texas

IN RE: Senate Joint Resolution
No. 45, As Engrossed
By: Brown

FROM: **John Keel**, Director

In response to your request for a Tax/Fee Equity Note on SJR45 (Proposing a constitutional amendment to authorize the legislature to permit a taxing unit to grant an exemption or other relief from ad valorem taxes on property on which a water conservation initiative has been implemented.) this office has determined the following:

This measure does not create or impact a state tax or fee.

S.J.R. No. 45

By Brown

proposing a constitutional amendment relating to exemptions or other relief
from ad valorem taxes on property upon which approved water conservations
have been implemented.

MAR 14 1997

Filed with the Secretary of the Senate

MAR 24 1997

Read and referred to Committee on

FINANCE

APR 16 1997

Referred to Committee on Natural Resources
Reported favorably

MAY 01 1997

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

Ordered not printed

Laid before the Senate

MAY 05 1997

Senate and Constitutional Rules to permit consideration suspended by:

unanimous consent

 yeas, nays

MAY 05 1997

Read second time, , and ordered engrossed by:

unanimous consent

a viva voce vote

 yeas, nays

MAY 05 1997

Senate and Constitutional 3 Day Rule suspended by a vote of 30 yeas, 0 nays.

MAY 05 1997

Read third time, , and passed by: 30 yeas, 0 nays

Buty King

SECRETARY OF THE SENATE

OTHER ACTION:

MAY 05 1997

Engrossed

May 5, 1997

Sent to House

Engrossing Clerk

Patsy Spaw

MAY 5 1997

Received from the Senate

MAY 6 1997

Read first time and referred to Committee on Ways & Means

MAY 15 1997

Reported favorably

MAY 16 1997

Sent to Committee on Calendars

MAY 23 1997

Read second time () and adopted (passed at third reading) by a
record vote of 120 yeas, 0 nays, 2 present, not voting

Read third time (amended) and finally adopted (failed of adoption) by a
record vote of yeas, nays, present, not voting

MAY 24 1997

Returned to Senate.

Sharon Carter

CHIEF CLERK OF THE HOUSE

MAY 24 1997

Returned from House without amendment.

Returned from House with amendments.

Concurred in House amendments by a viva voce vote yeas, nays.

_____ Refused to concur in House amendments and requested the appointment of a Conference Committee to adjust the differences.

_____ Senate conferees instructed.

_____ Senate conferees appointed: _____, Chairman; _____
_____, _____, and _____

_____ House granted Senate request. House conferees appointed: _____, Chairman;
_____, _____, _____

_____ Conference Committee Report read and filed with the Secretary of the Senate.

_____ Conference Committee Report adopted on the part of the House by: _____

{ a viva voce vote
_____ yeas, _____ nays

_____ Conference Committee Report adopted on the part of the Senate by:

{ a viva voce vote
_____ yeas, _____ nays

OTHER ACTION:

_____ Recommitted to Conference Committee

_____ Conferees discharged.

_____ Conference Committee Report failed of adoption by: _____

{ a viva voce vote
_____ yeas, _____ nays

97 JULY 16 1212:55
HOUSE OF REPRESENTATIVES